

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:     JOHN W. POTOSKIE

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III

CHAPTER 13 TRUSTEE

Movant

CASE NO: 5-16-03235-RNO

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on August 23, 2016, Charles DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case for the following reason(s):

- 1) A Petition under Chapter 13 was filed on August 5, 2016.
- 2) The Debtor has not filed the following items or a motion for extension of time to file same pursuant to F.R.B.P. 1007(c).

**CHAPTER 13 PLAN  
B22C/MEANS TEST**

- 3) If upon receipt of this Motion and the Notice, Debtors file the missing documents on or before the response date specified on said notice, the Motion shall be deemed withdrawn and moot.

WHEREFORE, your Trustee prays that this Honorable Court enter an Order dismissing the above-captioned case.

Respectfully submitted,  
s/ Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

**UNITED STATES BANKRUPTCY COURT  
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CHAPTER 13

CASE NO: 5-16-03235-RNO

**NOTICE**

The debtor(s) filed a Chapter13 Bankruptcy Petition on August 5, 2016.

The Standing Chapter 13 Trustee, Charles J. DeHart, III, has filed a Motion to Dismiss for failure to file the indicated document(s) below:

**CHAPTER 13 PLAN  
B22C/MEANS TEST**

A hearing with the Court has been scheduled for:

**Date:               September 28, 2016**  
**Time:             09:30 AM**  
**Location:        U.S. Bankruptcy Court**  
**Max Rosenn U.S. Courthouse**  
**Courtroom #2**  
**197 S. Main Street**  
**Wilkes Barre, PA**

Any objection/response to the Trustee's Motion to Dismiss must be filed and served on or before:  
**September 9, 2016.** If Debtor(s) file the missing documents on or before the stated response date, the Motion shall be deemed withdrawn and moot.

Additionally, if you file and serve an objection/response within the time period, a hearing will be held on the above date. If you do not file an objection within the time permitted the Court will deem the motion unopposed and proceed to consider the Motion without further notice or hearing, and may grant the relief requested.

Respectfully submitted,  
s/ Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036

Dated: August 23, 2016

**UNITED STATES BANKRUPTCY COURT  
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**CERTIFICATE OF SERVICE**

I hereby certify that the Debtor and his/her counsel, have been served a copy of this Motion, Notice and Proposed Order by First Class Mail, unless served electronically, at the below address on August 23, 2016.

PRO SE

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JOHN W. POTOSKIE  
937 BURTON STREET  
FREELAND, PA 18224

Respectfully submitted,  
s/ Vickie Williams  
for Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036

Dated: August 23, 2016

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: JOHN W. POTOSKIE

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE

Movant

CASE NO: 5-16-03235-RNO

vs.

JOHN W. POTOSKIE

MOTION TO DISMISS

Respondent(s)

**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED.